

Petitioner, )  
 )  
 -vs- )  
 )  
 MAGGIE BEIGHTLER, Warden )  
 )  
 Respondent. )  
 )  
 )

Case No. 5:08cv1479  
  
**ORDER**  
  
 Judge Christopher A. Boyko

Under Federal Rule 72(b) and 28 U.S.C. § 636, the district court is required to review *de novo* any portion of the Magistrate Judge's Report to which a specific objection is made. A party who fails to file an objection waives the right to appeal. *U.S. v. Walters*, 638 F.2d 947, 950 (6<sup>th</sup> Cir. 1981). In *Thomas v. Arn*, 474 U.S. 140, 150 (1985), the Supreme Court held: "It does not appear that Congress intended to require district court review of a magistrate judge's factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings." "A party may not file a general objection to the entirety of the magistrate's report." *Ayers v. Bradshaw*, No. 3:07CV2663, 2008 WL 906100, at \*1 (N.D. Ohio March 31, 2008) (citing *Howard v. Sec'y of Health and Human Services*, 932 F.2d 505, 508-09 (6<sup>th</sup> Cir. 1999)).

On June 8, 2009, Petitioner filed an objection that does not address any issues raised in the Report and Recommendation and is equivalent to an utter failure to object.

Therefore, the Court must assume that Petitioner is satisfied with the Magistrate Judge's recommendation. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 728 F.2d 813 (6th Cir. 1984), aff'd, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir.1981).

Therefore, Magistrate Judge White's Report and Recommendation is **ADOPTED** and Petitioner's Writ of *Habeas Corpus* (Dkt. # 1 ) is **DENIED**.

Furthermore, the court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith, and that there is no basis upon which to issue a certificate of appealability. 28 U.S.C. §2253(c); Fed. R. App. P. 22(b).

IT IS SO ORDERED.

Dated: June 10, 2009

S/Christopher A. Boyko  
CHRISTOPHER A. BOYKO  
UNITED STATES DISTRICT JUDGE